## UNITED STATES DISTRICT COURT 1 2 DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA, 4 Case No.: 2:14-cr-0321-GMN-NJK Plaintiff, 5 VS. **ORDER** 6 KEITH WILLIAMS, 7 Defendant. 8 9 10 Pending before the Court is the Report and Recommendation of United States 11 Magistrate Judge Nancy J. Koppe (ECF No. 137), which recommends denying Defendant Keith 12 William's Motion to Suppress (ECF No. 132). 13 Title 28, United States Code, Section 636 provides that a party's objection shall be 14 served and filed within fourteen days of the Magistrate Judge's Report and Recommendation. 15 28 U.S.C. § 636(b)(1). Here, Judge Koppe filed her Report and Recommendation on February 16 2, 2016 (ECF No. 137), and Defendant filed an Objection twenty-two days later on February 17 24, 2016 (Obj., ECF No. 144). Accordingly, the Court finds that Defendant's Objection is 18 untimely. 19 Even if the Court were to consider Defendant's Objection on the merits,<sup>2</sup> the Court finds 20 21 <sup>1</sup> This late objection is not Defendant's first untimely filing. Defendant's Motion to Suppress (ECF No. 132) 22 was filed untimely as well. (R. & R. 1:16-2:1, ECF No. 137). Nevertheless, Judge Koppe considered Defendant's motion on the merits, "[d]espite the late nature of these filings." (*Id.*). 23

& R. 1:16–19). In light of Defendant's pro se status for the instant motion, the Court has liberally construed Defendant's filings, holding them to standards less stringent than formal pleadings drafted by attorneys. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007).

24

25

was filed untimely as well. (R. & R. 1:16–2:1, ECF No. 137). Nevertheless, Judge Koppe considered Defendant's motion on the merits, "[d]espite the late nature of these filings." (*Id.*).

<sup>2</sup> Defendant's Motion to Suppress was filed by Defendant's attorney but as a pro se motion. (*See* ECF No. 132). Current defense counsel Todd M. Leventhal is Defendant's fourth appointed attorney in this case. At a hearing on Defendant's Motion to Withdraw as Attorney of Record (ECF No. 114), Judge Koppe denied Defendant's Motion to Withdraw but allowed Defendant leave to file up to four motions pro se. (ECF No. 119); (*see also* R. & R. 1:16–19). In light of Defendant's pro se status for the instant motion, the Court has liberally construed Defendant's filings, holding them to standards less stringent than formal pleadings drafted by attorneys. *See* 

## Case 2:14-cr-00321-GMN-NJK Document 166 Filed 05/09/16 Page 2 of 2

1	that the Objection fails to point to any specific errors in the Report and Recommendation.
2	Rather, Defendant's Objection amounts to little more than the reassertion of the same
3	arguments presented in Defendant's Motion to Suppress. (See ECF No. 144).
4	Accordingly,
5	IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 137) is
6	ADOPTED in full.
7	IT IS FURTHER ORDERED that Defendant's Motion to Suppress (ECF No. 132) is
8	DENIED.
9	<b>DATED</b> this _9_ day of May, 2016.
0	
1	
12	Gloria M. Navarro, Chief Judge United States District Court
13	
ا 4	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	